

**Maine Revised Statutes**  
**Title 28-A: LIQUORS**  
**Chapter 29: LICENSE RESTRICTIONS**

**§709. PROHIBITION OF CERTAIN PRACTICES**

**1. Certain practices prohibited.** The following practices are prohibited.

A. No licensee or employee or agent of a licensee may:

- (1) Offer or deliver any free liquor to any person or group of persons;
- (2) Deliver more than 2 drinks containing spirits, a carafe containing more than one liter or 33.8 ounces of wine, or any serving or pitcher containing more than one liter or 33.8 ounces of malt liquor, to one person at one time;
- (3) Sell, offer to sell or deliver to any person or group of persons an unlimited number of drinks for a fixed price, except at private functions not open to the public;
- (4) Encourage or permit, on the licensed premises, any game or contest that involves drinking or the awarding of drinks as prizes; or
- (5) Engage in any other practice the specific purpose of which is to encourage customers of the licensee to drink to excess. [2013, c. 504, §1 (AMD).]

B. No licensee may advertise or promote in any way, whether within or without the licensed premises, any of the practices prohibited under paragraph A. This paragraph does not prohibit a licensee or employee or agent of a licensee from including the alcohol content of malt liquor, wine or spirits in an advertisement or on a label, or in a display on an advertisement or label, if the alcohol content is expressed as a percentage of alcohol by volume. [2013, c. 504, §1 (AMD).]

[2013, c. 504, §1 (AMD).]

**2. Exceptions.** Subsection 1 does not prohibit the following practices:

A. Licensees offering free food or entertainment either with or without the purchase of one drink; [1987, c. 45, Pt. A, §4 (NEW).]

B. Licensees increasing the prices for drinks when entertainment is provided; [1987, c. 45, Pt. A, §4 (NEW).]

C. Licensees including a drink as part of a meal package; [1987, c. 45, Pt. A, §4 (NEW).]

D. The sale or delivery of wine, malt liquor or mixed drinks by the bottle, carafe or pitcher when sold with meals or to more than one person; [1987, c. 342, §45 (AMD).]

E. Those licensed under section 1052-D offering free samples or tastings; [2013, c. 531, §1 (AMD).]

F. Those licensed as bona fide hotels offering room services to registered guests; [1987, c. 45, Pt. A, §4 (NEW).]

G. Licensees offering reduced prices for prearranged private parties on the premises of the licensee; [2005, c. 319, §1 (AMD).]

H. Licensees whose licensed premises include more than one room charging different prices for the same drink served in the different rooms; [2011, c. 629, §13 (AMD).]

I. Conducting taste testing under section 460, 1051, 1205, 1207 or 1355-A; [2011, c. 629, §14 (RPR).]

J. Providing samples authorized under section 1355-A, 1402, 1402-A or 1504; [2015, c. 142, §1 (AMD); 2015, c. 214, §4 (AMD).]

K. Donations authorized under section 708-C; [2015, c. 494, Pt. A, §32 (RPR).]

L. Licensees offering complimentary samples of wine under section 1055; or [2015, c. 494, Pt. A, §33 (RPR).]

M. Product supplied by licensees authorized under section 1052-D for the purposes of providing taste-testing samples under a taste-testing event license. [2015, c. 494, Pt. A, §34 (NEW).]

[2015, c. 494, Pt. A, §§32-34 (AMD) .]

#### SECTION HISTORY

1987, c. 45, §A4 (NEW). 1987, c. 342, §45 (AMD). 1993, c. 266, §16 (AMD). 1997, c. 501, §2 (AMD). 1999, c. 275, §1 (AMD). 2005, c. 319, §§1,2 (AMD). 2011, c. 259, §1 (AMD). 2011, c. 629, §§12-15 (AMD). 2013, c. 504, §1 (AMD). 2013, c. 531, §1 (AMD). 2015, c. 142, §§1, 2 (AMD). 2015, c. 214, §§4, 5 (AMD). 2015, c. 494, Pt. A, §§32-34 (AMD).

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